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# Request For Continued Examination (RCE) Transmittal

Address to:  
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P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/578,631
Filing Date	May 25, 2000
First Named Inventor	William H. Barber
Art Unit	3627
Examiner Name	Robert E. Chilcot
Attorney Docket Number	387953

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☒ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Exhibits 1, 2, and 5; Extension of Time; Certificate of Mailing and Return Post Card

## 2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. **Fees** The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 12-0600
- i. ☒ RCE fee required under 37 C.F.R. 1.17(e) 01/07/2005 MAHMED1 00000047 120600 09578631
- ii. ☒ Extension of time fee (37 C.F.R. 1.136 and 1.17) 01 FC:2801 395.00 DA
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## **SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print /Type)	Curtis A. Vock	Registration No. (Attorney/Agent)	38,356
Signature		Date	January 4, 2005

## **CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail Post Office to Addressee (Label No. EV233152809US) in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Name (Print /Type)	MiMi Nguyen	Date	January 4, 2005
Signature		Date	January 4, 2005

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): William H. Barber et al.

Group Art No.: 3627

Serial No.: 09/578,631

Examiner: Chilcot, Robert E.

Filed: 25 May 2000

Confirmation No. 5757

For: DISK DISPENSING AND  
RETRIEVAL SYSTEM AND  
ASSOCIATED METHODS

MAILSTOP RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE**

Sir:

This Amendment and Response is filed together with a request for continued examination pursuant to 37 CFR. §1.114. The Remarks that follow are responsive to the Final Office Action mailed July 22, 2004. Applicants have corrected an obvious error in the claims by substituting "central processing unit" for "processor" wherever found, in full conformity with the specification. The Examiner's rejections have been overcome with two new Declarations under 37 CFR. §1.131. These Declarations conform to all the applicable legal standards. They conclusively demonstrate that applicants conceived the inventions of their independent claims 1 and 43 well before the filing date of Kitchen. Kitchen is no longer prior art in this proceeding, and all claims are in condition for allowance.

**Amendment to the Claims** begin on Page 2 of this paper.

**Remarks/Arguments** begin on Page 15 of this paper.